

**ASSEMBLY BILL**

**No. 2453**

**Introduced by Assembly Member Steinberg**

February 21, 2002

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An act to amend Section 8278 of the Education Code, relating to child care and development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2453, as introduced, Steinberg. Child care and development services.

Existing law, the Child Care and Development Services Act sets forth as its purpose the provision of a comprehensive, coordinated, and cost-effective system of child care and development services for children up to age 14 and their parents.

The law requires prescribed funds that are allocated for the Before and After School Learning and Safe Neighborhoods Partnerships Program and for CalWORKs child care that are unencumbered after the end of the first fiscal year to revert to the General Fund.

This bill would make those unencumbered funds unavailable for those programs and would, instead, make those funds available for allocation through the budget process for quality improvement activities to preschool education projects operated by public television stations in the cities of Redding, San Francisco, San Jose, Los Angeles, Fresno, San Diego, Sacramento, and Eureka.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 8278 of the Education Code is amended to read:

8278. (a) Notwithstanding any other ~~provision of law~~, child development appropriations, with the exception of funds appropriated for the *Before and After School Learning and Safe Neighborhoods Partnerships Program* pursuant to Article 22.5 (commencing with Section 8482) and for CalWORKs child care pursuant to Sections 8353 and 8354, shall be available for expenditure for three years, except that funds remaining unencumbered at the end of the first fiscal year shall ~~revert to the General Fund~~, *instead, be allocated for the purposes of subdivision (c).*

(b) The Superintendent of Public Instruction shall establish criteria and procedures for the reallocation of unearned contract funds in the second and third years of availability, in accordance with the following priorities:

(1) First, for the accounts payable of the State Department of Education.

(2) Second, to reimburse alternative payment programs for the provision of additional services, in accordance with Section 8222.1.

(3) Third, for one-time expenditures that will benefit children in subsidized child care, which include, but are not limited to, the purchase of materials approved by the State Department of Education for deferred and major maintenance of existing facilities, respite care, and implementation of capacity building activities, which include new facilities, training, and technical assistance. Notwithstanding any other ~~provision of law~~, the allocation for these one-time expenditures may not be made unless approved in the annual Budget Act.

(c) *Funds appropriated as set forth in subdivision (a) but remaining unencumbered at the end of the first fiscal year shall no longer be available for those purposes, and shall, instead, be available for reallocation pursuant to the annual Budget Act process for quality improvement activities to preschool education projects operated by public television stations in the cities of*

- 1 *Redding, San Francisco, San Jose, Los Angeles, Fresno, San*
- 2 *Diego, Sacramento, and Eureka.*

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